

1614/1

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.	
Applicant(s): Kaufmann, et al.			700725-1002	
Serial No. 10/674,145	Filing Date Sept. 29, 2003	Examiner	Group Art Unit 1614	
Invention: METHOD OF TREATING AND PREVENTING CANCER				
<p>I hereby certify that this <u>Petition; Declaration and Power of Attorney; and Declaration</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service as first class mail in an envelope addressed to:</p> <p>Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>March 9, 2004</u> (Date)</p> <p><u>Liz Stafford</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u>Liz Stafford</u> (Signature of Person Mailing Correspondence)</p>				
<p>Note: Each paper must have its own certificate of mailing.</p> <div><ol style="list-style-type: none"><li>1. Petition Under 37 CFR § 1.48(a);</li><li>2. Declaration and Power of Attorney for Patent Application (executed);</li><li>3. Declaration by David A. Holland (executed);</li><li>4. Check in the amount of \$130.00 for filing fees; and</li><li>5. Acknowledgment Postcard.</li></ol></div>				



700725-1002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Kaufmann, Doug A.

Control No.: 10/674,145

Filing Date: September 29, 2003

Group No.: 1614

Examiner:

For: METHOD OF TREATING AND PREVENTING CANCER

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 CFR § 1.48(a)**

Applicant submits this Petition under 37 CFR § 1.48(a) to request correction of inventorship of U.S. Application No. 10/674,145.

Applicant inadvertently named only one of the two inventors of the '145 application in the oath submitted under 37 CFR § 1.63. Therefore, the desired inventorship change is that David A. Holland be added as an inventor of the '145 application.

David A. Holland, the person who through error was not named as an inventor hereby states that the error in inventorship occurred without any deceptive intention (Declaration attached).

03/17/2004 HVUONG1 00000116 10674145

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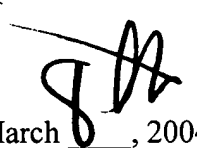
In accordance with 37 CFR § 1.48(a), submitted herewith are: i) a corrected oath as required by 37 CFR § 1.63, which is signed by both inventors, Doug A. Kaufmann and David A. Holland; ii) Declaration of David A. Holland; and iii) a check for \$130.00 as required for processing by 37 CFR § 1.17(i).

Respectfully submitted,

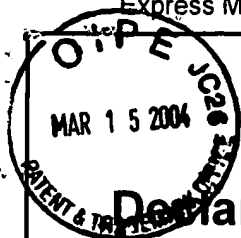
MICHAEL A. O'NEIL, P.C.

A large, stylized handwritten signature in black ink, appearing to read "Michael A. O'Neil", written over a horizontal line.

Michael A. O'Neil  
Registration No. 23,007

Handwritten initials in black ink, possibly "DA" or "DK", written over the date line.

Dated: March 8, 2004  
5949 Sherry Lane, Suite 820  
Dallas, Texas 75225  
(214) 739-0088  
(214) 739-8284 (Fax)



Docket No.  
700725-1002

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**METHOD OF TREATING AND PREVENTING CANCER**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 9/29/03 as United States Application No. or PCT International

Application Number 10/674,145

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
NONE			<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/499,976

**9/3/03**

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

**NONE**

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

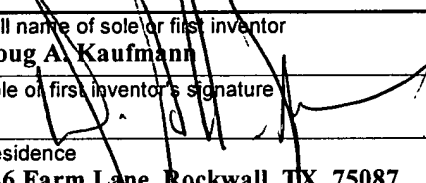
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

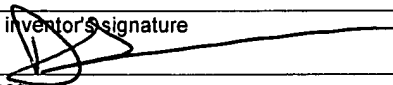
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**Michael A. O'Neil, Registration No. 23,007**

Send Correspondence to: **Michael A. O'Neil**  
**Michael A. O'Neil, P.C.**  
**5949 Sherry Lane, Suite 820**  
**Dallas, TX 75225**

Direct Telephone Calls to: *(name and telephone number)*  
**Michael A. O'Neil, 214-739-0088**

Full name of sole or first inventor <b>Doug A. Kaufmann</b>	3/1/04	Date
Sole or first inventor's signature 		
Residence <b>446 Farm Lane, Rockwall, TX 75087</b>		
Citizenship <b>United States</b>		
Post Office Address <b>same</b>		

Full name of second inventor, if any <b>David A. Holland</b>	01 March 2004	Date
Second inventor's signature 		
Residence <b>707 Northmeadow Drive, Arlington, TX 76011</b>		
Citizenship <b>United States</b>		
Post Office Address <b>same</b>		



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PATENT

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For: METHOD OF TREATING AND PREVENTING CANCER

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

DECLARATION

I, David A. Holland, hereby state that I am the person who, through error, was not named as an inventor and hereby state that the error in inventorship occurred without any deceptive intention.

David A. Holland